

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

CUSTOMS AND TAX ADMINISTRATION OF
THE KINGDOM OF DENMARK
(SKATTEFORVALTNINGEN) TAX REFUND
SCHEME LITIGATION

This document relates to: 19-cv-01785, 19-cv-01867,
19-cv-01893, 19-cv-01781, 19-cv-01783, 19-cv-
01866, 19-cv-01895, 19-cv-01794, 19-cv-01865, 19-
cv-01904, 19-cv-01798, 19-cv-01869, 19-cv-01922,
19-cv-01800, 19-cv-01788, 19-cv-01870, 19-cv-
01791, 19-cv-01792, 19-cv-01928, 19-cv-01926, 19-
cv-01868, 19-cv-01929, 19-cv-01803, 19-cv-01806,
19-cv-01906, 19-cv-01801, 19-cv-01894, 19-cv-
01808, 19-cv-01810, 19-cv-01809, 19-cv-01911, 19-
cv-01898, 19-cv-01812, 19-cv-01896, 19-cv-01871,
19-cv-01813, 19-cv-01930, 19-cv-01815, 19-cv-
01818, 19-cv-01931, 19-cv-01918, 19-cv-01873, 19-
cv-01924

MASTER DOCKET

18-md-2865 (LAK)

**STIPULATION AND [PROPOSED] ORDER EXTENDING
BRIEFING SCHEDULE FOR THE MOTION TO DISMISS**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties
that the briefing schedule for the Motion to Dismiss filed on June 12, 2019 (D.I. 134)
(the “Motion”) is modified as follows:

1. Plaintiff Skatteforvaltningen’s current July 12, 2019 deadline to submit a response
to the Motion is hereby extended seven (7) days up to and including July 19, 2019.
2. Defendants’¹ deadline to submit a reply in further support of their Motion is
hereby extended by 21 days up to and including August 19, 2019.

1. The Motion was filed by the Defendants represented by Wilmer Cutler Pickering Hale and Dorr LLP on June 12, 2019. The Defendants represented by Kostelanetz & Fink LLP, Kaplan Rice LLP, and Dewey Pegno & Kramarsky LLP all joined the Motion by separate Notices of Joinder filed that same day. (D.I. 141, 143 & 144.)

This is the parties' second request to modify the briefing schedule for the Motion.

Dated: New York, New York
July 11, 2019

By: /s/ Alan E. Schoenfeld
(e-signed with consent)

Alan E. Schoenfeld
WILMER CUTLER PICKERING HALE AND
DORR LLP
7 World Trade Center
250 Greenwich Street
New York, NY 10007
Telephone: (212) 230-8800
alan.schoenfeld@wilmerhale.com

*Counsel for Defendants Richard Markowitz,
Jocelyn Markowitz, Avanix Management
LLC Roth 401(K) Plan, Batavia Capital
Pension Plan, Calypso Investments Pension
Plan, Cavus Systems LLC Roth 401(K)
Plan, Hadron Industries LLC Roth 401(K)
Plan, RJM Capital Pension Plan, and Routt
Capital Pension Plan*

By: /s/ Nicholas S. Bahnsen
(e-signed with consent)

Nicholas S. Bahnsen
KOSTELANETZ & FINK LLP
7 World Trade Center
New York, NY 10007
Telephone: (212) 840-5830
nbahnsen@kflaw.com

*Counsel for Defendants John van
Merkensteijn, III, Elizabeth van
Merkensteijn, Azalea Pension Plan, Basalt
Ventures LLC Roth 401(K) Plan, Bernina
Pension Plan, Omineca Pension Plan,
Starfish Capital Management LLC Roth
401(K) Plan, Tarvos Pension Plan, Voojo
Productions LLC Roth 401(K) Plan,
Michelle Investments Pension Plan, Remece
Investments Pension Plan, and Xiphias LLC
Pension Plan*

By: /s/ Sarah L. Cave
Sarah L. Cave

HUGHES HUBBARD & REED LLP
One Battery Park Plaza
New York, NY 10004
Telephone: (212) 837-6000
Fax: (212) 422-4726
sarah.cave@hugheshubbard.com

*Counsel for Plaintiff Skatteforvaltningen
(Customs and Tax Administration of the
Kingdom of Denmark)*

By: /s/ Michelle A. Rice

(e-signed with consent)

Michelle A. Rice

KAPLAN RICE LLP

127 West 57th Street

Suite 4A

New York, NY 10019

Telephone: (212) 333-0227

mrice@kaplanrice.com

*Counsel for Defendants Joseph Herman,
David Zelman, Edwin Miller, Ronald
Altbach, Perry Lerner, Robin Jones, Albedo
Management LLC Roth 401(K) Plan,
Ballast Ventures LLC Roth 401(K) Plan,
Fairlie Investments LLC Roth 401(K) Plan,
Bareroot Capital Investments LLC Roth
401(K) Plan, Battu Holdings LLC Roth
401K Plan, Cantata Industries LLC Roth
401(K) Plan, Dicot Technologies LLC Roth
401(K) Plan, Vanderlee Technologies
Pension Plan, Cedar Hill Capital
Investments LLC Roth 401(K) Plan,
Fulcrum Productions LLC Roth 401(K)
Plan, Green Scale Management LLC Roth
401(K) Plan, Keystone Technologies LLC
Roth 401(K) Plan, Tumba Systems LLC
Roth 401(K) Plan, Crucible Ventures LLC
Roth 401(K) Plan, Limelight Global
Productions LLC Roth 401(K) Plan,
Plumrose Industries LLC Roth 401K Plan,
Roadcraft Technologies LLC Roth 401(K)
Plan, True Wind Investments LLC Roth
401(K) Plan, Eclouge Industry LLC Roth
401(K) Plan, First Ascent Worldwide LLC
Roth 401(K) Plan, Loggerhead Services
LLC Roth 401(K) Plan, PAB Facilities
Global LLC Roth 401(K) Plan, Trailing
Edge Productions LLC Roth 401(K) Plan,
Monomer Industries LLC Roth 401(K) Plan,
Pinax Holdings LLC Roth 401(K) Plan, and
Sternway Logistics LLC Roth 401(K) Plan*

By: /s/ Thomas E.L. Dewey
(e-signed with consent)
Thomas E.L. Dewey
DEWEY PEGNO & KRAMARSKY LLP
777 Third Avenue – 37th Floor
New York, NY 10017
Telephone: (212) 943-9000
tdewey@dplaw.com

Counsel for Defendant Michael Ben-Jacob

SO ORDERED:

Hon. Lewis A. Kaplan
United States District Judge